

## REMARKS

This is intended as a full and complete response to the Restriction Requirement dated December 20, 2004, having a shortened statutory period for response set to expire on January 20, 2005. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the paragraph entitled "ABSTRACT OF THE DISCLOSURE" and paragraph [0012] have been amended to correct minor editorial problems.

Claims 1-19 remain pending in the application and are shown above. Claims 1-19 are subject to restriction and/or election requirement. Claim 13 is amended to correct matters of form. This amendment is not presented to distinguish a reference, thus, the claim as amended is entitled to a full range of equivalents if not previously amended to distinguish a reference. Reconsideration of the restriction requirement is requested for reasons presented below.

The Examiner asserts that the inventions of Group I and Group II are distinct because inventions I and II are related as process and apparatus for its practice and the apparatus as claimed can be used to practice another and materially different process, such as ion milling. Restriction to one of the following inventions is required under 35 U.S.C. §121:

- I. Claims 1-13, drawn to processes, classified in Class 438, subclass 514.
- II. Claims 14-19, drawn to apparatus, classified in Class 29, subclass 25.01.

Applicants elect claims 1-13, Group I, with traverse. Applicants submit that ion implantation is not a limitation of the method claims and also does not limit the apparatus claims therefore there is no basis to assert a different utility with respect to ion milling. Furthermore, the Examiner's search for the apparatus claims of the invention would inherently include the field and classes representing the method claims of the invention, as the same elements are included in both the apparatus and the

method claim sets. Applicants respectfully request withdrawal of the restriction of claims 1-13 from claims 14-19.

Having addressed all issues set out in the Restriction Requirement, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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Keith M. Tackett  
Registration No. 32,008  
MOSER, PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Agent for Applicant(s)